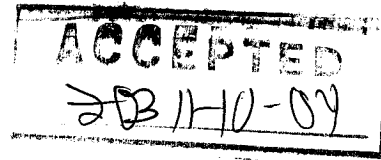




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November 9, 2004

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PUBLIC SERVICE  
COMMISSION

Mr. George N. Dorn, Jr.  
South Carolina Public Service Commission  
Interim Executive Director  
ATTN: Docketing Department  
P. O. Drawer 11649  
Columbia, South Carolina 29211

RE: Exhibits to Testimony of Gregory A. Cagle  
SCPSC Docket No. 2004-219-E

Dear Mr. Dorn:

Enclosed for filing are the original and twelve (12) copies of the Exhibits to accompany the Testimony of Gregory A. Cagle on behalf of Progress Energy Carolinas, Inc. ("PEC") in the above proceeding. Mr. Cagle's testimony was filed on November 8. Please stamp two of the enclosed copies and return them to me in the self-addressed, stamped envelope. PEC will concurrently mail a copy to Mrs. Beatrice Weaver, the opposing party in this proceeding.

If you have any questions, please call me at (919) 546-6367.

Sincerely,

Len S. Anthony  
Deputy General Counsel – Regulatory Affairs

LSA:gac

Enclosure

219227

**SOUTH CAROLINA PUBLIC SERVICE COMMISSION  
DOCKET NO. 2004-219-E  
EXHIBITS OF PROGRESS ENERGY CAROLINAS, INC.**

**WITNESS GREGORY A. CAGLE**

**INDEX OF EXHIBITS:**

- Exhibit 1: 7/20/02 letter from Gary Weaver to PEC stating that as of 7/21/02 he no longer occupies 1253A (i.e. the house), but "Service for the office located at 1253B [i.e. the storage shed]...shall continue until further notice."
- Exhibit 2: 7/22/02 letter from Dorothy Roscinsky to PEC asking to connect service to house [identified as 1247] in name of Saint Elizabeth of the Roses Benevolent Society, Inc., FAXed from "Renaissance"; anticipates weekend use only; chapel is under construction; 1247 property is to be leased by Society as of 8/1/02.
- Exhibit 3: 7/24/02 letter from Ms. Roscinsky asking for service to Meter #T88643 (i.e. the house) by 7/26.
- Exhibit 4: 9/7/02 letter from Ms. Roscinski (note spelling) to Len Anthony (PEC) canceling request for service to house, asking for service to existing building (i.e. "storage shed") and new chapel under construction; states that "there are no sleeping and living accommodations on the leased properties" (i.e. the storage shed); "the lessor (i.e. Mrs. Weaver) has nothing to do with the Society's affairs." Includes drawing of property layout as attachment.
- Exhibit 5: 9/27/02 letter from Mrs. Weaver to Len Anthony disavowing responsibility for debt, claiming "in August 2002 legal separation proceedings were initiated with a fine law firm," asking PEC to connect house in her name.
- Exhibit 6: 1/21/04 letter from Mrs. Weaver (signed as Beatrice Wallenstein on behalf of Renaissance International, Inc.) disputing amount of January 2004 bill on barn; she recalculates PEC's bill and sends partial payment for what she contends the bill should have been.
- Exhibit 7: 4/7/04 11-page letter from Mrs. Weaver to Howard Fowler (PEC) under letterhead of "Renaissance Company, Little Rock Stables, 1245 Harllees Bridge Road" complaining about PEC's letter delivered to Gary Weaver threatening disconnect unless the Weavers cease harassing meter readers and making racial insults; states that Gary Weaver has no affiliation with Renaissance; first allegations of meter reader incompetence; files claim for \$14,000 for trespassing; orders PEC to use [inaccessible] rear gate to access property; disavows any right of PEC to access property (p. 10 item 6); states that the two active meters are at 1245 (barn) and 1249 (storage shed), which is also referred to (p. 7, item b) as 1253B; suggests that property is a commercial subdivision consisting of 1245, 1247, 1249, 1253, and 1261; house is identified as 1253A; St. Elizabeth Society leases 1247, claims chapel will be finished by end of 2004.

- Exhibit 8: 4/9/04 unsigned letter from "Be My Guest LLC" to PEC asking to connect service to "Building A" [i.e. 1253A, the house], enclosing deposit check in name of "Be My Guest" Wellness Retreat, Bea Wallenstein, Director"
- Exhibit 9: 7/6/04 letter from Mrs. Weaver to PEC (Pam Hardy) confirming 3 installments for paying \$181.20 past due on storage shed [result of partial payments on estimated bills, see Exhibit 6], enclosing two postdated checks; argues that estimated bills are "inflated"; states that rate and account number change for storage shed are "not accepted."
- Exhibit 10: 7/20/04 letter from Pam Hardy (PEC) to Mrs. Weaver concerning invalid TotalMeter application form, also addressing rate and account number change; postdated checks; partial payments; and access to property
- Exhibit 11: 7/24/02 letter from Mrs. Weaver to PSC asking for 30-day extension for filing answer to PEC's Petition for waiver of rule governing estimated meter readings; states "I am going blind due to lack of proper lighting caused by Progress Energy's refusal to supply me with electric power."
- Exhibit 12: 7/29/04 letter from Len Anthony to Mrs. Weaver notifying her that PEC will read meters on 8/4/04, and will disconnect service if access is denied.
- Exhibit 13: 8/2/04 letter from Mrs. Weaver to Len Anthony in response to his 7/29 letter (see Exhibit 12), which she states she received on 7/31; she denies his "request" to read meters on 8/4 on grounds it was "preempted by my recent formal request [submitted that same day, 8/2/04] for the PSC to conduct an investigation and meter tests pursuant to Rule 103-371"; "Your request for access is not denied, and never has been, only delayed for good reason."
- Exhibit 14: A second letter dated 8/2/04 from Mrs. Weaver to Len Anthony stating "I cannot comply with your untimely demand to read three electric meters on August 4, 2004" because she will be absent for medical reasons, and because of her request for PSC test of meters; "I have agreed and stipulated to the PSC that you may estimate the billing for August, and September if you wish."
- Exhibit 15: 8/2/04 letter from Mrs. Weaver to Tammy Tanner of Tru-Check (PEC's meter reading contractor) stating that "I received this morning [she previously stated 7/31, see Exhibit 13] the request by Progress Energy's Mr. Len Anthony, to allow access on August 4, 2004"; notifying Tru-Check to cancel the meter reading and confirm by return Telefax.
- Exhibit 16: 8/13/04 letter from Mrs. Weaver to Chad Campbell (SCPSC/ORS) dictating ground rules for PSC's conduct of independent meter tests, including no PEC staff to be present during tests to avoid "taint" of tests.
- Exhibit 17: 8/13/04 letter from Mrs. Weaver to Tru-Check demanding detailed information on meter readings from 12/21/01 to present: name of reader, date/time of reading, whether reading was actual or estimated, all records concerning denial of access, etc.
- Exhibit 18: 8/25/04 letter from Mrs. Weaver to SCPSC filing her Answer, Counterclaim, Request for Consolidation of Petitions, and Request for Formal Hearing

- Exhibit 19: 8/26/04 letter from Pam Hardy (PEC) to Mrs. Weaver inviting her to call Pam directly; again addresses rate & account number change and TotalMeter requirements
- Exhibit 20: 9/5/04 letter from Mrs. Weaver to Len Anthony denying meter reader access until after independent meter tests are complete. [note that actual meter readings had already been taken two days previously, 9/3/04]
- Exhibit 21: 9/5/04 letter from Mrs. Weaver to PSC dictating more conditions for meter tests, stating that PEC has always had access to meters, and "Until such time as the commission conducts such tests, Petitioner shall provide an estimated reading for the month of September 2004 [meter had already been read on 9/3]"; also "Petitioner is required to provide 48 hours prior notice of its staff coming to the properties"; requests Commission to order PEC to install TotalMeter without application form.
- Exhibit 22: 9/16/04 letter from Len Anthony (PEC) to SCPSC and Mrs. Weaver responding to her request to Tru-Check for info on past meter readings.
- Exhibit 23: 9/30/04 letter from Pam Hardy (PEC) to Mrs. Weaver responding to requests for billing histories; again addresses rate & account number change, TotalMeter requirements, and property access issues.
- Exhibit 24: Copy of sign posted on rear access gate on October 5, 2004; this copy was provided as an attachment to one of Mrs. Weaver's previous letters
- Exhibit 25: "Respondent Beatrice Weaver's Answer to Petition; Counterclaim; Request for Formal Hearing; Affidavit of Beatrice Weaver; Exhibit A" filed on 9/9/04 [dated 8/3/04]; requests twice the normal time to respond, speaks of depositions and "lie detector tests" for meter readers.
- Exhibit 26: 9/11/04 letter from Mrs. Weaver to Chad Campbell preempting scheduled date for meter tests on medical grounds, and setting further ground rules for meter tests.
- Exhibit 27: 9/17/04 letter from Mrs. Weaver to PEC (Pam Hardy) protesting the rate change and account number change for the storage shed in June, demanding installation of TotalMeter by 10/4/04.
- Exhibit 28: 9/27/04 letter from Mrs. Weaver to Chad Campbell complaining that SCPSC/ORS allowed PEC to conduct actual meter readings on 9/3.
- Exhibit 29: 9/29/04 letter from Mrs. Weaver to Chad Campbell stating that 10/5 meter reading "has been rescheduled for October 11<sup>th</sup>"; requires ORS to order PEC to install TotalMeter at same time the test is conducted; requires 5 days' advance notice before tests are conducted.
- Exhibit 30: 9/29/04 letter from Mrs. Weaver to Tru-Check notifying them that "the date for meter reading has been rescheduled from Oct. 5<sup>th</sup>, to Oct. 11<sup>th</sup>, 2004"; "Please be advised that you should not come on to the property on October 5<sup>th</sup>, 2005 to read meters, but do so on the date set by Mr. Campbell for the meter tests and installation of the TotalMeter. You have the key to the gate, and know which gate and route to use, as you always have."
- Exhibit 31: 9/30/04 letter from Mrs. Weaver to Len Anthony: "Please note that due to conflicting schedules, the October 5, 2004 date for meter reading has been rescheduled. I have made arrangements for the meter reading to take place

on Monday, October 11, 2004 and/or during the week of October 11<sup>th</sup>.” States that by conducting actual readings in September, “you have already deliberately tainted the meter tests and shall have to answer for that.”

Exhibit 32: 10/5/04 letter from Mrs. Weaver to Chad Campbell: “The estimated reading for October is being done at the request of Progress Energy, and with the approval of your office”; “note that the Oct. 11<sup>th</sup> meter reading MUST be coordinated with the Total Meter installation as previously requested. If you cannot coordinate for Oct. 11<sup>th</sup>, then you have two weeks to do it all together to Oct. 22<sup>nd</sup>.”

Exhibit 33: 10/7/04 letter from Mrs. Weaver to Chad Campbell: “If Progress cannot with certainty install the Total Meter next Monday [i.e. Oct. 11, the next scheduled date for the meter tests], then the whole thing will be deferred to the date that they can do so.” This letter also expands previous request for “names, job titles, names of respective organizations, personal identification, and organization addresses, telephone numbers, etc., of the respective representatives to be present at my property to carry out the [meter tests].”

Exhibit 34: 10/9/04 letter from Mrs. Weaver to Chad Campbell, enclosing retyped (and altered) application for TotalMeter at storage shed; states that one reason for wanting meter tests is “to confirm that no lines are or have been run from the meters to any other locations”; “there is no point in coming here to test and read meters without installing the Total Meter at the same time at Meter No. B9771.” “I see no reason why Mr. Cagle...should be present at my property. He is not a meter technician. He is not a meter tester. He will not install Total Meter. There is no legitimate reason for his presence here, unless you can provide me with such acceptable to me.” “You left too many loose ends in this matter when you advised me on Friday, Oct. 8<sup>th</sup> @ 4:00 p.m. of the [meter test scheduled] for Monday, Oct. 11<sup>th</sup>, 2004, @ 1:00 p.m. Therefore...I request that you defer the tests, readings, and installation of TotalMeter for one week; that is, to Monday, October 18, 2004 at the same time. That will give me time to have my representative present. We do not want a tainted meter test.”

Exhibit 35: 10/15/04 letter from Mrs. Weaver to Chad Campbell: “I hold you responsible and liable to ensure that the Total Meter is installed on Meter B9771 at the same time as the scheduled meter tests...as far as I am concerned, it is your decision, your responsibility and you are solely liable and shall have to act on this matter of installing the TotalMeter; no anonymous ‘staff’ opinion shall be accepted unless and until identified by name, rank and job title.”

Exhibit 36: 10/18/04 letter from Len Anthony (PEC) to SCPSC concerning property access issues, estimated readings, and TotalMeter requirements.

Exhibit 37: 10/18/04 letter from Mrs. Weaver to PEC (Pam Hardy): “[PEC] can install the Total Meter on Meter No. B9771 under any account # it wants on October 21, 2004...conditional on my holding you, Progress Energy and the ORS Office liable...for violation of Commission Rules concerning [PEC’s] illegal change of status, as to the account number, etc. It is yours

and [ORS's] decision to make. I hold you both in violation of Commission Rules in any case, to date."

- Exhibit 38: 10/29/04 handwritten FAX message to Sabeena Lourdesamy of PEC:  
"Date of meter reading is scheduled duly for W-11-10-04. There shall be no change to this date. Your request for subject meter reading [on Nov. 2] is herewith rejected..."; "trespassing is illegal and thus punishable by law!"
- Exhibit 39: 10/29/04 letter from Mrs. Weaver to Tru-Check: "Please be advised that the meter reading scheduled for Tuesday, November 2, 2004 has been re-scheduled to November 10, 2004 by arrangement with Progress Energy."  
"Delay should not be a problem for anyone—unless you are all in collusion against me, for which you shall ALL answer in court."
- Exhibit 40: 10/29/04 letter from Mrs. Weaver to Chad Campbell listing ways in which ORS has allegedly failed her, and listing her demands that TotalMeter be installed concurrent with meter tests, now scheduled for 11/10; again insisting that the PSC order PEC to install TotalMeter without written application; threatening trespassing charges if anyone enters property while she is absent.
- Exhibit 41: PEC's August 4, 2004 filing of Petition to Terminate Service
- Exhibit 42: PEC's October 19, 2004 Return and Motion for Summary Judgment
- Exhibit 43: PEC's October 27, 2004 Addendum to Petition to Terminate Service; Motion to Compel; and Alternate Relief